

\*\*E-filed 8/3/05\*\*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

BRIAN MINICK, an individual, on behalf of himself and all others similarly situated, }  
Plaintiff, }  
vs. }  
TATE & KIRLIN ASSOCIATES, PAT SHARPE, MARK BREWER and SHERMAN ACQUISITIONS II LLP, a/k/a SHERMAN FINANCIAL GROUP and ALEGIS GROUP LP, }  
Defendants. }

CASE NO. C05 00457 JF

**STIPULATION AND ORDER OF DISMISSAL**

IT IS HEREBY STIPULATED by and between Plaintiff and Defendants Sherman Acquisition, LLP a/k/a Sherman Financial Group and Aegis Group LP, through their designated counsel, that Plaintiff has agreed to dismiss any and all causes of action that relate or could relate to the above captioned action and hereby requests that this action be dismissed with prejudice pursuant to FRCP 41(a)(1).

Each party to bear their own attorney's fees and costs.

Dated: 7/25/05

  
RONALD WILCOX, Counsel for Plaintiff

  
STEPHEN H. TURNER, Counsel for Defendant Sherman Acquisition, LLP a/k/a Sherman Financial Group and Aegis Group LP

IT IS SO ORDER.

Jeremy Fgoel /s/electronic signature authorized

8/3/05

U.S. DISTRICT JUDGE

Date: